

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
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INTERIM CHAIR AND PRESIDING OFFICER
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January 17, 2019

19JAN17 PM 4:24 CITY CLERK

TO: COUNCILMEMBERS

FROM: INTERIM COUNCIL CHAIR ANN H. KOBAYASHI *AK*

SUBJECT: FILING MINUTES OF DISSOLVED STANDING COMMITTEES

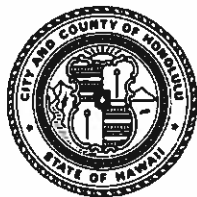
With the appointment of standing committees effective January 14, 2019 via Council Communication 7, please be advised that the minutes of the following dissolved standing committees will be placed on file as public record with the Office of the City Clerk:

October 30, 2018 – Committee on Legislative Matters
November 7, 2018 – Committee on Legislative Matters
November 29, 2018 – Committee on Public Health, Safety and Welfare
November 28, 2018 – Committee on Public Works, Infrastructure and Sustainability
December 4, 2018 – Committee on Public Works, Infrastructure and Sustainability
October 18, 2018 – Committee on Transportation

Thank you for your cooperation.

AK:vc

Attachments



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON LEGISLATIVE MATTERS

Voting Members:

Ernest Y. Martin, Chair
Kymberly Marcos Pine, Vice-Chair
Ikaika Anderson
Brandon J.C. Elefante
Carole Fukunaga
Ann H. Kobayashi
Joey Manahan
Ron Menor
Trevor Ozawa

MINUTES

SPECIAL MEETING
TUESDAY, OCTOBER 30, 2018

CITY COUNCIL CHAMBER
3RD FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The special meeting of the Committee on Legislative Matters was called to order by Committee Chair Ernest Martin at 9:14 a.m. Voting Members Anderson, Elefante, Fukunaga, Kobayashi, Manahan, Menor, Pine, and Ozawa were present at the meeting.

STAFF PRESENT

Kimberly Ribellia, Executive Assistant
Lloyd Yoshioka, Attorney, Office of Council Services
Amy Kondo, Deputy Corporation Counsel, Department of the Corporation Counsel,
assigned to the Committee
Gail Murayama, Council Committee Aide, Office of the City Clerk

ORDER OF BUSINESS

APPROVAL OF MINUTES

The minutes of the October 17, 2018 special meeting of the Committee on Legislative Matters were approved as circulated.

AYES: ELEFANTE, KOBAYASHI, MANAHAN, MENOR, OZAWA, MARTIN – 6.
NOES: None.
EXCUSED: ANDERSON, FUKUNAGA, PINE – 3.

FOR ACTION

Committee Chair Martin took Agenda Items 1 through 5 up together.

1. BILL 42 (2017), CD1 – COMMITTEE REPORT 368

FUNDING FOR TRANSIT. Allowing for greater flexibility in the sources of monies to be used for the capital cost of the Honolulu Rail Transit Project.

The following amendment was posted on the agenda:

PROPOSED CD2 TO BILL 42 (2017), CD1 (Submitted by Council Chair Martin) – The CD2 (OCS2018-1023/10/24/2018 1:07 PM) makes the following amendments:

- A. Amends Section 3 of the bill to: 1) change reference to "General Fund" to "General Fund and General Improvement Bond Fund", and 2) reference the Revised Recovery Plan dated October 24, 2018 rather than the Recovery Plan dated September 15, 2017.
- B. Adds a new Section 4 of the bill to clarify that while the HART must reimburse the City for any payments of principal and interest and any other costs incurred by the City and County relating to the issuance of the general obligation indebtedness for the Honolulu High Capacity Transit Project, the City is responsible for any payments of principal and interest and any other costs relating to the issuance of the general obligation indebtedness for the Honolulu High Capacity Transit Project contingency.

Renumbers subsequent sections as appropriate.

- C. Amends Section 5 of the bill to clarify that in Sections 2 and 4 of this ordinance, ordinance material to be repealed is bracketed and stricken and new ordinance material is underscored.
- D. Makes miscellaneous technical and nonsubstantive amendments.

The following amendment was circulated at the meeting:

PROPOSED CD2 TO BILL 42, CD1 (Submitted by Council Chair Martin) – The CD2 (OCS2018-1040/10/30/2018 8:43 AM) makes the following amendments:

- A. Amends Section 3 of the bill to: 1) remove references to "General Fund"; and 2) reference the Revised Recovery Plan dated October 24, 2018 rather than the Recovery Plan dated September 15, 2017.
- B. Adds a new Section 4 which amends Section 15 of Ordinance 15-46 to specify that:

The memorandum of understanding shall not apply to the issuance and sale of HHCTCP commercial Paper or other forms of general obligation indebtedness for which the City and County is required to pay principal, interest, and any other costs relating to the issuance of HHCTCP Commercial Paper and other forms of general obligation indebtedness.

- C. Makes miscellaneous technical and nonsubstantive amendments.

2. RESOLUTION 18-127 – COMMITTEE REPORT 369

GENERAL OBLIGATION BONDS. Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$450,000,000 principal amount of General Obligation Bonds of the City and County of Honolulu to finance capital costs of the Honolulu Rail Transit Project.

The following amendment was posted on the agenda:

PROPOSED CD1 TO RESOLUTION 18-127 (Submitted by Council Chair Martin) – The CD1 (OCS2018-1019/10/23/2018 2:27 PM) makes the following amendments:

- A. Revises the third WHEREAS clause to specify that HART may, rather than is required to, make a request to the Council for the issuance and sale of general obligation bonds, which proceeds will be used to finance the capital costs of the Honolulu Rail Transit Project to match the language in Charter Section 17-109.
- B. Adds two new WHEREAS clauses and amends the first paragraph of the BE IT RESOLVED clause to identify ordinances authorizing the issuance

and sale of the general obligation bonds for the Honolulu Rail Transit Project.

- C. Adds a new WHEREAS clause describing the HART board's resolution requesting the Council's approval of the issuance and sale of the general obligation bonds in the aggregate principal amount not to exceed \$450,000,000 for the Honolulu Rail Transit Project.
- D. Amends the second paragraph of the BE IT RESOLVED clause by deleting the phrase "or as a part of a series of other general obligation bonds of the City and County of Honolulu or from time to time in series".
- E. Adds a sixth paragraph to the BE IT RESOLVED clause to require that the memorandum of understanding between the Honolulu Authority for Rapid Transportation and the City concerning the H RTP GO bonds must require that the City and County be reimbursed by the Honolulu Authority for Rapid Transportation for any payments of principal and interest and any other costs incurred by the City and County relating to the issuance of the general obligation indebtedness.
- F. Makes miscellaneous technical, conforming, and nonsubstantive amendments.

3. RESOLUTION 18-132 – COMMITTEE REPORT 370

GENERAL OBLIGATION BONDS. Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$44,000,000 principal amount of General Obligation Bonds of the City and County of Honolulu for the purpose of financing capital costs of the Honolulu Rail Transit Project.

The following amendment was posted on the agenda:

PROPOSED CD1 TO RESOLUTION 18-132 (Submitted by Council Chair Martin)
– The CD1 (OCS2018-1020/10/23/2018 2:57 PM) makes the following amendments:

- A. Adds a new WHEREAS clause and amends the first paragraph of the BE IT RESOLVED clause to identify, by number, Ordinance 18-27 (which authorized the issuance and sale of the general obligation bonds in an aggregate of the amount appropriated in the Honolulu Authority for Rapid Transportation Capital Budget Ordinance for Fiscal Year July 1, 2018 to

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June 30, 2019) and Ordinance 18-26 (the Honolulu Authority for Rapid Transportation Capital Budget Ordinance for Fiscal Year July 1, 2018 to June 30, 2019).

- B. Adds a new WHEREAS clause describing the HART board's resolution requesting the Council's approval of the issuance and sale of the general obligation bonds in the aggregate principal amount not to exceed \$44,000,000 for the Honolulu Rail Transit Project, subject to certain conditions.
- C. Amends the second paragraph of the BE IT RESOLVED clause by deleting the phrase "or as a part of a series of other general obligation bonds of the City and County of Honolulu or from time to time in series".
- D. Makes miscellaneous technical, conforming, and nonsubstantive amendments.

4. RESOLUTION 18-237 – COMMITTEE REPORT 371

AGREEMENT WITH THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION ("HART"). Consenting to and approving the agreement between the City and HART regarding the issuance and sale in one or more series not to exceed \$44,000,000 principal amount of the General Obligation Bonds of the City and County of Honolulu for the purpose of financing capital costs of the Honolulu Rail Transit Project.

The following amendment was posted on the agenda:

PROPOSED CD1 TO RESOLUTION 18-237 (Submitted by Council Chair Martin)
– The CD1 (OCS2018-1024/10/24/2018 11:05 AM) makes the following amendments:

- A. In the Third WHEREAS clause, changes the reference from \$44,000,000 to \$214,000,000.
- B. Revises the Fifth WHEREAS clause to incorporate the proposed amendment to Bill 42 (2017), CD1 (proposed CD2 version) that includes a new section to amend Section 4 of Ordinance 18-27 to provide that, the agreement between the City and HART must require that the City is responsible for any payments of principal and interest and other bond

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related costs for bond proceeds budgeted for the Honolulu High Capacity Project Contingency.

C. In Exhibit A:

1. Adds a new WHEREAS clause to add a reference to the Revised Recovery Plan (Resolution 18-239), dated October 24, 2018, that will be considered by the Legislative Matters Committee and Council, respectively, on October 30, 2018;
2. Adds references to the "Revised Recovery Plan" rather than "Recovery Plan" for purposes of referencing the Revised Recovery Plan, dated October 24, 2018;
3. Amends the Fifteenth WHEREAS clause by:
 - a. Changing all references from "General Fund" to "General Fund and General Improvement Bond Fund";
 - b. Incorporating the above-mentioned proposed CD2 changes to Bill 42 (2017), CD1;
 - c. Removing the reference to "Additional Funds" and changing the reference from "Figure 6-1" to "Figure 6-2"; and
 - d. Deletes the words "debt service" and changes "other costs" to just "costs";
4. Amends the NOW, THEREFORE clause by adding the phrase "not to exceed \$44 million" after the phrase "or any other form of general bond indebtedness or obligation";
5. Amends Section 1.02 by specifying that "HART revenues" include transient accommodations tax dedicated to the H RTP; and
6. Amends Section 6.03 to specify that the terms of the AGREEMENT may be modified by mutual written agreement of the HART and the City with prior approval of the Council.

D. Makes miscellaneous technical, conforming, and nonsubstantive amendments.

5. RESOLUTION 18-239 – COMMITTEE REPORT 372

2018 RECOVERY PLAN. Approving the 2018 Recovery Plan for the Honolulu Rail Transit Project to be submitted to the Federal Transit Administration.

The following amendment was posted on the agenda:

PROPOSED CD1 TO RESOLUTION 18-239 (Submitted by Council Chair Martin)
– The CD1 (OCS2018-1028/10/24/2018 12:20 PM) makes the following amendments:

A. Amends the BE IT RESOLVED clause to read as follows:

“BE IT RESOLVED by the Council of the City and County of Honolulu that the Council approves the 2018 Recovery Plan (including the 2018 Financial Plan) transmitted by Departmental Communication 688 (2018), both dated October 24, 2018, substantially in the form attached hereto as Exhibit A and incorporated herein, provided that any further changes do not incur additional obligations on the part of the City, and”

B. Labels/designates the attached 2018 Recovery Plan as “Exhibit A.”

C. Makes miscellaneous technical, conforming, and nonsubstantive amendments.

The following amendment was circulated at the meeting:

PROPOSED CD1 TO RESOLUTION 18-239 (Submitted by Council Chair Martin)
– The CD1 (OCS2018-1042/10/30/2018 9:19 AM) makes the following amendments:

A. Amends the BE IT RESOLVED clause by changing the date of the 2018 Recovery Plan (attached as Exhibit A) from November 2018 to October 24, 2018.

B. Makes miscellaneous technical, conforming, and nonsubstantive amendments.

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Administration/Others

Roy Amemiya, Jr., Managing Director
Nelson Koyanagi, Jr., Director, Department of Budget and Fiscal Services
Andrew Robbins, Executive Director, Honolulu Authority for Rapid Transportation (HART)
Robert Yu, Chief Financial Officer (CFO), HART

Managing Director Amemiya provided Committee members with a brief background on all of the legislation before the Committee. The Managing Director testified that the Acting Administrator of the Federal Transit Administration (FTA) had sent letters to both the Mayor and the Honolulu City Council stating that further federal funding was predicated on the City's commitment of \$44 million.

The following individuals testified:

1. Ryan Kobayashi, Hawaii Laborers Union Local 368 (support all)
2. Roy Nakamura, Financial Accountability for Rail Mass Transit Association (oppose all)
3. Rod Tam, Financial Accountability for Rail Mass Transit Association (oppose all)
4. Elaine Kam, Financial Accountability for Rail Mass Transit Association (oppose all)
5. Barbara Hudman, Financial Accountability for Rail Mass Transit Association (oppose all)
6. Charles Carole, Financial Accountability for Rail Mass Transit Association (oppose all)
7. Jack De Feo, Financial Accountability for Rail Mass Transit Association (oppose all)
8. John Carroll, Financial Accountability for Rail Mass Transit Association (oppose all)
9. Frank Genadio, Financial Accountability for Rail Mass Transit Association (oppose all)
10. Calvin Hulihee, Financial Accountability for Rail Mass Transit Association (oppose all)
11. James Manaku (comments)
12. Scott Foster, Advocates for Consumer Rights (comments)
13. Nathaniel Kinney, Hawaii Construction Alliance (support all)
14. Josh Mason (comments)
15. Robert Smith Carlton (comments)
16. Joy Kimura, Hawaii LECET (support all)

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17. Banner Fanene (oppose Bill 42)
18. Renee Ing (oppose all)
19. Dave Moskowitz (comments)
20. Natalie Iwasa (oppose all)
21. Choon James (oppose all)

In response to Committee Member Anderson's inquiry regarding the cost savings that might have been realized had the City issued the bond earlier, Director Koyanagi concurred that costs go up the longer the bond float is delayed.

In response to Committee Member Elefante, Director Koyanagi stated that the Administration has no objections to the proposed CD2 version of Bill 42.

Executive Director Robbins testified that the HART has been studying climate change and its possible effect on the project since 2015. He stated that, currently, it appears that the City Center portion will comply with any predicted sea level rise. HART does not foresee making major changes to the project to account for climate change. The HART will share the completed climate change analysis with the City Council.

Executive Director Robbins assured councilmembers that the FTA does not object to the inclusion of a cap in the amount of City funds that can be used.

In response to Committee Member Kobayashi's question regarding the repayment of the bonds, CFO Yu stated that the bonds would be repaid through General Excise and Transient Accommodations Tax revenue.

Executive Director Robbins and CFO Yu stated that the City is obligated to pay for the non-capitalized costs of the project. Lengthy discussion regarding the Financial Plan's reflection of the City's contribution ensued.

Committee Member Elefante noted that he had filed Disclosure of Interest Statements CC-276 and CC-277.

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Committee Chair Martin recommended that the Bill be amended to the hand-carried CD2.

Bill 42 (2017), CD1 amended to CD2.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

Committee Chair Martin recommended that Bill 42, CD2 be reported out for passage on third reading.

Committee Member Ozawa commented that the City should not have rushed to pass the 2017 Recovery Plan. He noted that his position on Bill 42 has not changed and that he would be voting in opposition.

Committee Member Manahan voiced his support for Bill 42 in its proposed CD2 form.

Committee Member Elefante stressed that passage of Bill 42 is needed in order to preserve the City's partnerships with the FTA and the State, and voiced his support for the Bill.

Committee Member Kobayashi stated that she would be voting in opposition. She noted that the City had, in 2006, promised the public that no property taxes would be used for the construction of rail.

Committee Member Anderson noted that the FTA expects the City to fulfill its part in order to continue the project and that Bill 42 reflects that commitment.

Bill 42 (2017), CD2 (OCS2018-1040/10/30/2018 8:43 AM) reported out for passage on third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MENOR, PINE, MARTIN – 7.

NOES: KOBAYASHI, OZAWA – 2.

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Committee Chair Martin called for discussion on Resolution 18-127.

Committee Member Ozawa noted that the Budget Committee increased the amount from \$406 million to \$450 million in the hope that no other City funds would be needed.

Committee Member Elefante noted that he had filed Disclosure of Interest Statement CC-287. The Committee Member noted, for the record, the concerns raised by the Administration.

Resolution 18-127 reported out for adoption.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 8.
NOES: KOBAYASHI – 1.

Committee Chair Martin called for discussion on Resolution 18-132.

Committee Member Elefante noted that he had filed Disclosure of Interest Statement CC-286.

Resolution 18-132 reported out for adoption.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MENOR,
 PINE, MARTIN – 7.
NOES: KOBAYASHI, OZAWA – 2.

Committee Chair Martin called for discussion on Resolution 18-237.

Committee Member Elefante noted that he had filed Disclosure of Interest Statement CC-289.

Committee Chair Martin requested that the Administration make the following technical amendments to the WHEREAS clause at the top of Page 3 of the Agreement:

- A. Remove references to General Fund and Additional Funds; and
- B. Change the reference to Figure 6-1 to Figure 6-2.

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Resolution 18-237 reported out for adoption.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MENOR,
 PINE, MARTIN – 7.
NOES: KOBAYASHI, OZAWA – 2.

Committee Chair Martin called for discussion on Resolution 18-239.

Committee Member Elefante noted that he had filed Disclosure of Interest Statement CC-288.

Committee Member Menor noted his concern regarding the possible deferral of the parking structure for the Pearl Highlands station. Executive Director Robbins concurred with the Committee Member about the importance of the Pearl Highlands parking structure, and agreed that any potential deferral of the parking structure should be deleted from the Recovery Plan.

Committee Member Kobayashi stated that she would be voting in support of the Recovery Plan, but noted her concerns regarding the operating budget and the fact that the HART board has not yet approved the Plan.

Committee Member Ozawa concurred with the concerns voice by Committee Member Kobayashi. He noted that he would be voting with reservations.

Committee Member Manahan stated that delaying the Recovery Plan would only add to the overall cost of the project, and thanked the HART for working with councilmembers on their concerns.

Committee Chair Martin recommended that the Resolution be amended to the hand-carried CD1.

Resolution 18-239 amended to CD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN,
 MENOR, OZAWA, PINE, MARTIN – 9.
NOES: None.

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Resolution 18-239, CD1 (OCS2018-1042/10/30/2018 9:19 AM) reported out for adoption.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA*, PINE, MARTIN – 9.

NOES: None.

*Councilmember Ozawa voted aye with reservations.

Related communications:

CC-276	Councilmember Brandon Elefante, Disclosure of Interest Statement for Bill 42 (2017)
CC-277	Councilmember Brandon Elefante, Disclosure of Interest Statement for Bill 42 (2017)
D-379	Department of Budget and Fiscal Services, transmitting draft resolution. (Resolution 18-127)
D-388	Department of Budget and Fiscal Services, transmitting draft resolution. (Resolution 18-132)
D-679	Department of Budget and Fiscal Services, submitting for consideration, a proposed CD2 to Bill 42 (2017), CD1
D-681	Department of Budget and Fiscal Services, transmitting draft resolution. (Resolution 18-237)
D-688	Department of Budget and Fiscal Services, transmitting draft resolution. (Resolution 18-239)
M-553	Early testimony for Bill 42 (2017), CD1
M-554	Early testimony for Resolution 18-127
M-555	Early testimony for Resolution 18-132
M-556	Early testimony for Resolution 18-237
M-557	Early testimony for Resolution 18-239
M-561	Additional testimony for Bill 42 (2017), CD1
M-562	Additional testimony for Resolution 18-127
M-563	Additional testimony for Resolution 18-132
M-564	Additional testimony for Resolution 18-237
M-565	Additional testimony for Resolution 18-239

FOR DISCUSSION

6. THE WAIVER OF THE PROVISIONS OF THE CHARTER TO ENSURE THAT THE CITY DOES NOT LOSE FEDERAL FUNDING FOR THE RAIL PROJECT.

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Administration/Others

Gary Kurokawa, Chief of Staff to Mayor Caldwell
Nelson Koyanagi, Director, Department of Budget and Fiscal Services

There was no public testimony.

Chief of Staff Kurokawa stated that the Administration is currently analyzing its options to cover the \$44 million gap. The options being considered include utilizing Section 13-122 of the Revised Charter of Honolulu (RCH) and re-opening the budget, inter-fund transfers, and tax-exempt commercial papers (TECP). The Administration would like to use the option that is legal, most transparent and least risky.

In response to Committee Member's question, Chief of Staff Kurokawa stated that TECP appears to be the most transparent option.

In response to Committee Member Pine, the Chief of Staff stated that utilizing the City's rainy day fund would require opening the budget. He noted that the Federal Transit Administration is requiring the City to not only show that the funds are available but to also place those funds into HART's budget.

In response to Committee Member Anderson's question, Chief of Staff Kurokawa stated that the Charter provides for the re-opening of the budget only under very narrow circumstances; however Section 13-122, RCH, would exempt the Administration from certain provisions of the Charter, and may allow the budget to be re-opened in this instance.

In response to Committee Member Pine's question regarding the projected interest and fees related to the \$44 million bond float, Director Koyanagi stated that a rough estimate would be approximately \$150,000 in interest.

In response to Committee Member Ozawa, Director Koyanagi stated that Act 1 necessitated the use of City monies to pay for the rail project. Because of that fact, the Administration is requesting HART to reduce all administrative costs going forward.

Related communication:

M-558 Early testimony

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ADJOURNMENT

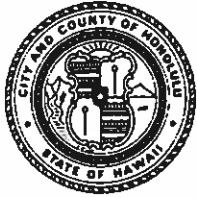
There being no further business, the meeting was adjourned at 12:01 p.m.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

gym

DATE APPROVED



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON LEGISLATIVE MATTERS

Voting Members:

Ernest Y. Martin, Chair
Kymberly Marcos Pine, Vice-Chair
Ikaika Anderson
Brandon J.C. Elefante
Carole Fukunaga
Ann H. Kobayashi
Joey Manahan
Ron Menor
Trevor Ozawa

MINUTES

SPECIAL MEETING
WEDNESDAY, NOVEMBER 7, 2018

CITY COUNCIL CHAMBER
3RD FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The special meeting of the Committee on Legislative Matters was called to order by Committee Chair Ernest Martin at 9:11 a.m. Voting Members Anderson, Elefante, Fukunaga, Kobayashi, Menor, and Pine were present at the meeting. Voting Members Manahan and Ozawa were excused from the meeting.

STAFF PRESENT

Kimberly Ribellia, Executive Assistant
Lloyd Yoshioka, Attorney, Office of Council Services
Amy Kondo, Deputy Corporation Counsel, Department of the Corporation Counsel,
assigned to the Committee
Vicki Chung, Council Committee Aide, Office of the City Clerk

ORDER OF BUSINESS

FOR ACTION

RESOLUTION 18-240

WAIVER OF THE PROVISIONS OF THE REVISED CHARTER. Waiving the provisions of the Revised Charter of the City and County of Honolulu in order to allow the City to provide \$44 million in City moneys to the Honolulu Authority for Rapid Transportation for expenses related to the Honolulu High-Capacity Transit Corridor Project.

Administration/Others

Roy Amemiya, Jr., Managing Director
Nelson Koyanagi, Jr., Director, Department of Budget and Fiscal Services
(BFS)

Managing Director Amemiya testified that the Administration takes no position on the Resolution. The Managing Director noted that the Administration has decided to pursue funding through tax-exempt commercial papers.

The following individuals testified:

1. Rod Tam, Financial Accountability for Rail Mass Transit Association (oppose)
2. Roy Nakamura (comments)
3. Calvin Hulihee (comments)
4. Jack De Feo, Financial Accountability for Rail Mass Transit Association (oppose)
5. Natalie Iwasa (comments)
6. Arvid Youngquist (comments)

Discussion between Committee members and the Administration's representatives provided the following information:

- BFS is working with an underwriter to make a draw on an existing commercial paper line. The City is expected to receive the money within the next week.
- The interest on the short term loan will be between one-and-a-half to two percent. The interest on the long-term bond would be approximately three percent over 25 years.
- The City would be responsible for repayment of the \$44 million loan.
- The cost associated with the lifetime of the bond would include interest and any issuing costs.
- The Administration does not feel that using the rainy day fund is appropriate as it may affect the City's bond rating.
- A change in the City's bond rating would affect all of the City's bonds.

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Committee Member Kobayashi voiced her opposition to the Resolution.

Committee Members Anderson, Menor and Elefante concurred with Committee Member Kobayashi.

Committee Member Pine voiced her support for the Resolution.

Committee Chair Martin noted that the Resolution was introduced primarily to give the City a way to fund the \$44 million if another mechanism could not be found. He stated that passing the Resolution now would allow immediate access to another option if the Administration's preferred option did not pan out.

Committee Chair Martin recommended that Resolution 18-240 be reported out for adoption.

The motion to report Resolution 18-240 out for adoption failed to receive a majority vote.

AYES: FUKUNAGA, PINE, MARTIN – 3.
NOES: ANDERSON, ELEFANTE, KOBAYASHI, MENOR – 4.
EXCUSED: MANAHAN, OZAWA – 2.

Related communications:

MM-147 Mayor Kirk Caldwell, submitting the Administration's evaluation of options available to find the \$44 million, and decision to utilize the sale of tax-exempt commercial paper.
M-577 Additional testimony for Resolution 18-240

Committee Chair Martin announced that the Council meeting scheduled for 10:30 a.m. was cancelled due to Resolution 18-240's failure to move out of Committee.

Committee on Legislative Matters
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Wednesday, November 7, 2018

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:01 p.m.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

gym

DATE APPROVED



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON PUBLIC HEALTH, SAFETY AND WELFARE

Voting Members:

Brandon J. C. Elefante, Chair
Ron Menor, Vice Chair
Ikaika Anderson
Joey Manahan

MINUTES

REGULAR MEETING
THURSDAY NOVEMBER 29, 2018

COUNCIL COMMITTEE MEETING ROOM
2ND FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The regular meeting of the Committee on Public Health, Safety and Welfare was called to order by Committee Chair Brandon Elefante at 1:02 p.m. Voting Member Menor and Nonvoting Member Fukunaga (temporary voting member for quorum) were present at the meeting. Voting Members Anderson and Manahan were excused from the meeting.

STAFF PRESENT

Mary Schmidtke, Chief of Staff to Committee Chair Elefante
George White, Attorney, Office of Council Services
Kamakana Watanabe, Analyst, Office of Council Services
Darcie Nago, Council Committee Aide, Office of the City Clerk

ORDER OF BUSINESS

Committee Chair Elefante appointed the City Council's Floor Leader, Councilmember Fukunaga, as a temporary voting member for the meeting.

APPROVAL OF MINUTES

The minutes of the Committee on Public Health, Safety and Welfare meeting held on October 18, 2018 were approved as circulated.

AYES: FUKUNAGA (temporary voting member), MENOR, ELEFANTE – 3.
NOES: None.
EXCUSED: ANDERSON, MANAHAN – 2.

Committee on Public Health, Safety and Welfare Minutes
Thursday, November 29, 2018

FOR ACTION

1. RESOLUTION 18-235 – COMMITTEE REPORT 413

GIFT FROM MS. JO ANN TRASK (HPD). Accepting a gift to the City from Ms. Jo Ann Trask for a canine ballistic vest valued at \$3,129 for protection of the Honolulu Police Department's K9 "Hawke".

Administration/Others

Captain Steven Gerona, Honolulu Police Department

Captain Gerona spoke in support of the Resolution.

The following individual testified:

Arvid Youngquist (support)

Resolution 18-235 reported out for adoption.

AYES: FUKUNAGA (temporary voting member), MENOR, ELEFANTE – 3.

NOES: None.

EXCUSED: ANDERSON, MANAHAN – 2.

Related communication:

D-668 Honolulu Police Department, transmitting draft Resolution.

2. RESOLUTION 18-258 – COMMITTEE REPORT 415

GIFT TO THE CITY FROM THE HONOLULU POLICE COMMUNITY FOUNDATION (HPD). Accepting a gift to the City of 42 tickets valued at \$4,536 from the Honolulu Police Community Foundation (HPCF) for members of the Honolulu Police Department to attend the HPCF's 12th Annual Honolulu's Finest Dinner on May 18, 2019.

Committee on Public Health, Safety and Welfare Minutes
Thursday, November 29, 2018

The following amendment was circulated at the meeting:

PROPOSED CD1 TO RESOLUTION 18-258 (Submitted by Councilmember Elefante) – The CD1 (OCS2018-1138/11/28/2018 10:14 AM) makes the following amendments:

- A. Amends the BE IT RESOLVED clause to change the value of the gift from \$4,320 to the correct amount of \$4,536, as indicated in the fourth WHEREAS clause and on the Declaration of Gift, attached as Exhibit A.
- B. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Lieutenant Trent Umeno, Honolulu Police Department

Lieutenant Umeno provided a brief overview of the gift.

The following individual testified:

Arvid Youngquist (support)

Resolution 18-258 amended to a CD1 (OCS2018-1138/11/28/2018 10:14 AM) and reported out for adoption.

AYES: FUKUNAGA (temporary voting member), MENOR, ELEFANTE – 3.
NOES: None.
EXCUSED: ANDERSON, MANAHAN – 2.

Related communication:

D-716 Honolulu Police Department, transmitting draft Resolution.

3. RESOLUTION 18-247 – COMMITTEE REPORT 414

GIFT FROM HAWAII SPECIALTY VEHICLES (HFD). Accepting a gift to the City from Hawaii Specialty Vehicles valued at \$1,000 to provide refreshments at a Honolulu Fire Department apparatus blessing ceremony.

Administration/Others

Battalion Chief Jeffrey Hooker, Honolulu Fire Department

Committee on Public Health, Safety and Welfare Minutes
Thursday, November 29, 2018

Battalion Chief Hooker spoke in support of the Resolution.

The following individual testified:

Arvid Youngquist (support)

Resolution 18-247 reported out for adoption.

AYES: FUKUNAGA (temporary voting member), MENOR, ELEFANTE – 3.
NOES: None.
EXCUSED: ANDERSON, MANAHAN – 2.

Related communication:

D-699 Honolulu Fire Department, transmitting draft Resolution.

4. RESOLUTION 18-259 – COMMITTEE REPORT 416

GIFT FROM HAWAIIAN AIRLINES (DEM). Accepting a gift to the City from Hawaiian Airlines for airfare valued at \$4,926.37 to support Hawaii County's lava flow response efforts from May 11 to July 5, 2018.

Administration/Others

Hirokazu Toiya, Acting Director, Department of Emergency Management (DEM)

Acting Director Toiya stated that the gift covers the airfare cost for City personnel from the Honolulu Fire Department, Honolulu Police Department, Honolulu Emergency Services, and the Honolulu Board of Water Supply to assist the Hawaii County in their lava flow response efforts.

The following individual testified:

Arvid Youngquist (support)

Resolution 18-259 reported out for adoption.

AYES: FUKUNAGA (temporary voting member), MENOR, ELEFANTE – 3.
NOES: None.
EXCUSED: ANDERSON, MANAHAN – 2.

Committee on Public Health, Safety and Welfare Minutes
Thursday, November 29, 2018

Related communication:

D-708 Department of Emergency Management, transmitting draft Resolution.

ADJOURNMENT

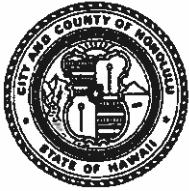
There being no further business, the meeting was adjourned at 1:10 p.m.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

dn

DATE APPROVED



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

**COMMITTEE ON PUBLIC WORKS,
INFRASTRUCTURE AND
SUSTAINABILITY**

Voting Members:
Carol Fukunaga, Chair
Joey Manahan, Vice Chair
Brandon J.C. Elefante
Ann H. Kobayashi
Trevor Ozawa

MINUTES

**REGULAR MEETING
WEDNESDAY, NOVEMBER 28, 2018**

**COUNCIL COMMITTEE MEETING ROOM
2ND FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813**

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The regular meeting of the Committee on Public Works, Infrastructure and Sustainability was called to order by Committee Chair Carol Fukunaga at 1:19 p.m. Voting Members Elefante, Kobayashi, and Ozawa were present at the meeting. Voting Member Manahan was excused from the meeting.

STAFF PRESENT

Linda Oamilda, Legislative Analyst to Committee Chair Fukunaga
Todd Swisher, Analyst, Office of Council Services
Anthony Valdez, Attorney, Office of Council Services
Kamilla Chan, Deputy, Department of the Corporation Counsel, assigned to the Committee
Gail Uehara, Council Committee Aide, Office of the City Clerk

Committee on Public Works, Infrastructure and Sustainability Minutes
Wednesday, November 28, 2018

ORDER OF BUSINESS

APPROVAL OF MINUTES

The following individual testified:

Arvid Youngquist (comments)

Committee Chair Fukunaga noted Mr. Youngquist's concern regarding testifiers' position on a measure.

The minutes of the October 17, 2018 regular meeting and November 5, 2018 special meeting of the Committee on Public Works, Infrastructure and Sustainability were approved as circulated.

AYES: ELEFANTE, KOBAYASHI, FUKUNAGA – 3.

NOES: None.

EXCUSED: MANAHAN, OZAWA – 2.

FOR ACTION

1. COMMUNICATION D-705 – COMMITTEE REPORT 405

MILILANI MAUKA UNIT 128 SUBDIVISION. From the Department of Design and Construction, requesting consideration of Deed conveying roadway Lots 16440 to 16444, inclusive; Grant of Drain Easement 6288; Grant of Flowage Easement 6288; and Grant of Sewer Easement 6288 for public use in Waipio.

Administration/Others

Scott S. Shigeoka, Chief of Land Division, Department of Design and Construction

There was no public testimony.

Chief Shigeoka stated that all improvements were constructed and paid for by the developer and are acceptable to the City.

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Dedication document conveying easement for public use in Waipio, as detailed in Communication D-705, reported out for Council approval.

AYES: ELEFANTE, KOBAYASHI, FUKUNAGA – 3.
NOES: None.
EXCUSED: MANAHAN, OZAWA – 2.

2. RESOLUTION 18-149 – COMMITTEE REPORT 402

DEDICATION AND TRANSFER OF VARIOUS PARCELS AND REMNANT ROADWAYS FROM THE HCDA. Authorizing acceptance of the dedication and transfer of various parcels and remnant roadways from the Hawaii Community Development Authority in the Kakaako Community Development District to the City and County of Honolulu.

The following amendment was posted on the agenda:

PROPOSED CD1 TO RESOLUTION 18-149 (Submitted by Councilmember Fukunaga) – The CD1 (OCS2018-1065/11/14/2018 10:28 AM) makes the following amendments:

A. Adds new WHEREAS clauses 9 through 11, that read as follows:

WHEREAS, the Council has concerns with any duties or obligations the City may incur with respect to any recurring costs related to the operation and maintenance of the park properties and roadway remnants, and any existing terms and conditions, or covenants that may run with the properties, which may place additional burdens upon the City; and

WHEREAS, in light of the Council's concerns, the HCDA is requested to provide a report on the expenses and revenues related to the operations and maintenance of the HCDA Lands, and on any existing terms and conditions, or covenants that run with the HCDA Lands that may place duties or obligations upon the City; and

WHEREAS, the Department of Parks and Recreation is requested to review all existing State rules applicable to the HCDA Lands, including but not limited to HCDA's rules or other long-standing State rules, compare them against the City's park rules, and provide a report on which rules the Department of Parks and Recreation would consider continuing; now, therefore

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- B. Adds new BE IT FURTHER RESOLVED clauses 3 through 4, that read as follows:

BE IT FURTHER RESOLVED that the HCDA is requested to provide the Council with a report not later than December 31, 2018, on the expenses and revenues related to the operations and maintenance of the HCDA Lands, and on any existing terms and conditions, or covenants that run with the HCDA Lands that may place duties or obligations upon the City; and

BE IT FURTHER RESOLVED that the Department of Parks and Recreation is requested to provide the Council with a report not later than December 31, 2018, on the existing State rules that are applicable to the HCDA Lands, and which State rules the department would recommend to continue to apply to the HCDA Lands after title in the subject lands has been transferred to the City; and

- C. Makes miscellaneous technical and nonsubstantive amendments to comport with current drafting conventions.

Administration/Others

Sandra S. Pfund, Director, Department of Land Management
Ross S. Sasamura, Director and Chief Engineer, Department of Facility Maintenance
Jeanne C. Ishikawa, Deputy Director, Department of Parks and Recreation

Committee Chair Fukunaga explained her posted proposed CD1 version.

Director Pfund stated that the proposed amendments identify legitimate concerns and that she would report back to Council by December 31, 2018 as requested. She also concurred that the land transfer would place future obligations on the City for maintenance of parks and related facilities.

The Committee Chair expressed the Council's concerns about the additional maintenance and financial obligations that would be incurred by the City with the land transfer. She noted that many areas are currently not being properly maintained while this land transfer is pending.

Committee on Public Works, Infrastructure and Sustainability Minutes
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The following individual testified:

Arvid Youngquist (comments)

In response to Mr. Youngquist's concern regarding the reports' deadline, the Committee Chair clarified that the departments have already submitted some information that answer a number of the concerns that have been raised at prior meetings.

Committee Chair Fukunaga explained that quite a bit of time has been spent on this issue and that numerous tenants in the Kakaako area continue to suffer from maintenance and homeless issues. The Committee Chair recommended amending the Resolution to the posted proposed CD1 and reporting it out for adoption.

Resolution 18-149 amended to CD1 (OCS2018-1065/11/14/2018 10:28 AM) and reported out for adoption.

AYES: ELEFANTE, KOBAYASHI, OZAWA, FUKUNAGA – 4.
NOES: None.
EXCUSED: MANAHAN – 1.

Related communications:

D-444 Department of Parks and Recreation, transmitting draft Resolution.
D-660 Department of Land Management, responding to inquiries regarding Resolution 18-149.

At this juncture, the Committee Chair took up Item No. 4 while waiting for a City representative to speak on Item No. 3.

4. BILL 65 (2018) – COMMITTEE REPORT 401

PRIVATE STREETS AND ROADS. Addressing the conditions under which the City may maintain private streets and roads and recover the costs of providing such maintenance.

Administration/Others

Ross S. Sasamura, Director and Chief Engineer, Department of Facility Maintenance

Denise Wong, Deputy, Department of Corporation Counsel (COR)

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Director Sasamura testified in support of the Bill.

In response to Committee Chair Fukunaga's inquiry, Deputy Wong agreed to respond in writing on the applicability of this Bill to certain private roads and streets in Kakaako whose ownership status resulted in a lack of adequate maintenance.

The following individual testified:

Arvid Youngquist (comments)

Committee Chair Fukunaga recommended that the Bill be reported out for passage on third reading with the caveat that the Bill may be amended should the COR's recommendations allow the Council to correct problem areas outside of the Bill's current scope.

Bill 65 (2018) reported out for passage on third reading.

AYES: ELEFANTE, KOBAYASHI, OZAWA, FUKUNAGA – 4.

NOES: None.

EXCUSED: MANAHAN – 1.

5. RESOLUTION 18-221– COMMITTEE REPORT 403

ESTABLISH GOALS FOR 100 PERCENT RENEWABLE ENERGY AND A CARBON NEUTRAL ECONOMY. Urging the City Administration to establish goals for 100 percent renewable energy and a carbon neutral economy to accelerate the City of Honolulu's adoption of the 2018 Climate Change Action Summit Policies.

The following amendment was posted on the agenda:

PROPOSED CD1 TO RESOLUTION 18-221 (Submitted by Councilmember Fukunaga) – The CD1 (OCS2018-1102/11/20/2018 9:01 AM) makes the following amendments:

- A. Revises the title to reflect the City and County of Honolulu's implementation (instead of adoption) of the 2018 Global Climate Action Summit Policies.
- B. Revises the sixth WHEREAS clause to include reference to the estimated \$12.9 billion dollar impact of sea level rise upon private property and structure-related losses.

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- C. Inserts a seventh WHEREAS clause to discuss the Honolulu Climate Change Commission's "Climate Change Brief," which establishes the factual basis and broad impact of climate change.
- D. Inserts a new BE IT RESOLVED clause to express Council support for the 2018 Global Climate Action Summit's "Fossil Fuel Free Streets" declaration.
- E. Inserts a new BE IT FURTHER RESOLVED clause to express support for the 2018 Global Climate Action Summit declaration to the Power Past Coal alliance.
- F. Inserts a new BE IT FURTHER RESOLVED clause to express support for the 2018 Global Climate Action Summit commitment to deliver inclusive climate action that benefits all citizens.
- G. Inserts a new BE IT FURTHER RESOLVED clause to express the Council's support for the concept of a user-friendly and convenient "Carbon-Free Corridor."
- H. Makes miscellaneous technical and nonsubstantive amendments.

The following amendment was circulated at the meeting:

PROPOSED CD1 TO RESOLUTION 18-221 (Submitted by Councilmember Fukunaga) – The CD1 (OCS2018-1132/11/27/2018 3:49 PM) makes the following amendments:

- A. Revises the title to reflect the City and County of Honolulu's implementation (instead of adoption) of the 2018 Global Climate Action Summit Policies.
- B. Revises the sixth WHEREAS clause to include reference to the estimated \$12.9 billion dollar impact of sea level rise upon private property and structure-related losses.
- C. Inserts a new seventh WHEREAS clause to discuss the Honolulu Climate Change Commission's "Climate Change Brief," which establishes the factual basis and broad impact of climate change.
- D. Inserts a new eleventh WHEREAS clause to note the release of the second volume of the Fourth National Climate Assessment and attaches the Executive Summary for Chapter 27 of the report, dealing with projected impacts to Hawaii and U.S.-affiliated Pacific Islands, as Exhibit A.

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- E. Inserts a new BE IT RESOLVED clause to express Council support for the 2018 Global Climate Action Summit's "Fossil Fuel Free Streets" declaration.
- F. Inserts a new BE IT FURTHER RESOLVED clause to express support for the 2018 Global Climate Action Summit declaration to the Powering Past Coal Alliance.
- G. Inserts a new BE IT FURTHER RESOLVED clause to express support for the 2018 Global Climate Action Summit commitment to deliver inclusive climate action that benefits all citizens.
- H. Inserts a new BE IT FURTHER RESOLVED clause to express the Council's support for the concept of a user-friendly and convenient "Carbon-Free Corridor."
- I. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Joshua W. Stanbro, Chief Resilience Officer and Executive Director, Office of Climate Change, Sustainability & Resiliency
Ernest Y.W. Lau, Manager and Chief Engineer, Board of Water Supply (BWS)

Committee Chair Fukunaga mentioned the posted proposed CD1 and explained that the hand-carried proposed CD1 version sought to incorporate some of the Councilmembers' comments.

Chief Resilience Officer Stanbro testified in strong support of the Resolution. He noted the timeliness of the Resolution with the recently released Fourth National Climate Assessment, Volume II, and the urgency to address the threats facing Hawaii. The Chief Resilience Officer also stated that the Resolution:

- Acknowledges the important role of the Climate Change Commission.
- Supports key goals and concepts that have put Honolulu in a national leadership role, with recognition by organizations such as the Bloomberg Foundation.
- Creates unity and alignment with stakeholders.

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In response to the Committee's inquiries, Chief Resilience Officer Stanbro provided the following information:

- Support for the hand-carried proposed CD1.
- Following Mayor Caldwell's City-wide directive on climate change and sea level rise in response to the Climate Change Commission's recommendation, the Honolulu Authority for Rapid Transportation made sure that the remaining rail route conformed to design principals for preparedness and resiliency.
- The State Department of Transportation is working on a climate resilient survey regarding the harbor. He is unsure whether the same was being done for the airport.
- An invitation to a public presentation on the challenges facing Honolulu from technical experts in the field at the Honolulu Pacific University, Aloha Tower Marketplace at 6:00 p.m. tonight.
- The expectation of adequate clearance for a bike path underneath the rail alignment.

The following individuals testified:

1. Jun Shin, Young Progressives Demanding Action (support and CD1)
2. Dawn Morais Webster (support)
3. Brodie Lockard, 350Hawaii.org (support and CD1)
4. Layla Kilolu (support)
5. Mesina DiGrazia-Roberts (support)
6. Sara DiGrazia (support)
7. Jeff Mikulina, Blue Planet Foundation (support and CD1)
8. Chelsea Harder, Hawaii Green Growth (support and CD1)
9. Victoria W. Keener, East-West Center (support and CD1)
10. Aki Marceau, Elemental Excelsior (support and CD1)
11. Carilyn Shon, Department of Business, Economic Development & Tourism (support and CD1)
12. David Atcheson (support and CD1)
13. Will Giese, Hawaii Solar Energy Association (support)
14. Christine Trecker (support and CD1)
15. Janet Pappas, 350Hawaii (support and CD1)
16. Paul Bernstein, Citizens' Climate Lobby (support and CD1)
17. Lee Sichter (support and CD1)

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18. Amy Hennessey, Ulupono Initiative (support and CD1)
19. William Metzger, 350Hawaii (support)
20. Catherine (Kitty) Courtney (support and CD1)
21. Mark Helbling, 350 Hawaii (comments)
22. Dave Mulinix, Our Revolution Hawaii (comments)
23. Maldi Mollioni (support)
24. Sherry Pollack (comments)
25. Charles K. Burrows (support)
26. Christina Wong, 350 Hawaii (support)

Manager Lau testified in strong support of the Resolution. He reported that the BWS has started to work on reducing its reliance on fossil-based fuel and, so far, has installed three megawatts of renewable energy. The Manager also urged that resources be provided to help City agencies work on climate change issues.

Committee Chair Fukunaga recommended that the Resolution be amended to the posted proposed CD1 and reported out for adoption. The Committee Chair added that based on the testimonies received, she intends to present a proposed FD version incorporating recommendations presented to the Committee for consideration at the Council meeting.

Resolution 18-221 amended to CD1 (OCS2018-1102/11/20/2018 9:01 AM) and reported out for adoption.

AYES: ELEFANTE, KOBAYASHI, OZAWA, FUKUNAGA – 4.
NOES: None.
EXCUSED: MANAHAN – 1.

Related communications:

M-622 Early testimony for Resolution 18-221.
M-635 Additional testimony for Resolution 18-221.

6. RESOLUTION 18-266– COMMITTEE REPORT 404

RED HILL BULK FUEL STORAGE FACILITY. Urging the United States Environmental Protection Agency and the Hawaii State Department of Health to reject the approval of a single wall tank upgrade alternative option for the Red Hill Bulk Fuel Storage Facility and to reject the conclusions presented in the Groundwater Protection and Evaluation Considerations for the Red Hill Bulk Fuel Storage Facility Report dated July 27, 2018.

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Wednesday, November 28, 2018

Administration/Others

Ernest Y.W. Lau, Manager and Chief Engineer, Board of Water Supply

Manager Lau testified in strong support of the Resolution, as detailed in Communication M-623.

In response to the Committee's inquiries, the Manager provided the following information:

- One monitoring well was drilled at a water reservoir closest to the Red Hill Bulk Fuel Storage Facility, however no fuel leaks have been detected and no treatment remedies are currently being considered.
- The Red Hill Facility includes three miles of fuel pipeline that poses a potential threat should there be leaks, therefore the BWS is looking into additional monitoring wells to track possible leak migrations.
- The advocating for secondary containment fuel tanks.

The following individuals testified:

1. Jun Shin, Young Progressives Demanding Action (support)
2. Captain Marc Delao, U. S. Navy, Navy Facilities Engineering Command Hawaii (comments)

Captain Delao highlighted his concern that the Resolution's premise is based on inaccurate and/or incomplete information, as detailed in Communication M-636. He also stated that the U. S. Navy has complied with the step by step, science-based process of the Administrative Order.

In response to the Committee's inquiry regarding monitoring wells, the Captain stated that there are 14 sampling points being tracked with plans to expand to 21 and no fuel leaks have been detected. He also responded that the U.S. Navy's position is to continue using single wall tanks while looking towards technological advancement to ensure safeguarding of the water.

3. Patricia Beekman (oppose)
4. Sherry Pollack (support)
5. Dave Mulinex, Our Revolution Hawaii (support)
6. Arvid T. Youngquist (support)

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Wednesday, November 28, 2018

Committee Chair Fukunaga expressed her appreciation for the Captain's comments and strong support for the BWS. The Committee Chair recommended reporting the Resolution out for adoption.

Committee Member Elefante voiced his strong support for the Committee Chair's recommendation.

Resolution 18-266 reported out for adoption.

AYES: ELEFANTE, KOBAYASHI, FUKUNAGA – 3.
NOES: None.
EXCUSED: MANAHAN, OZAWA – 2.

Related communications:

M-623 Early testimony for Resolution 18-266.
M-636 Additional testimony for Resolution 18-266.

With the presence of a City representative, the Committee Chair returned to Item No. 3.

3. BILL 41 (2018) – COMMITTEE REPORT 400

RELATING TO PUBLIC PROPERTY. Addressing damage to, and alteration of, public property, including prohibiting alteration of public property by the posting of unauthorized signs thereon.

The following amendment was posted on the agenda:

PROPOSED CD1 TO BILL 41 (2018) (Submitted by Councilmember Fukunaga) – The CD1 (OCS2018-1101/11/20/2018 1:26 PM) makes the following amendments:

A. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Aaron Farias, Captain, District 3, Honolulu Police Department (HPD)

Committee Chair Fukunaga explained her posted proposed CD1 version.

Captain Farias apologized for his tardiness to the meeting and testified in support of the Bill.

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The following individual testified:

Arvid Youngquist (oppose)

Committee Chair Fukunaga stated that the Bill gives the HPD another tool to help safeguard public assets while reducing the number of vandalism repairs.

Bill 41 (2018) amended to CD1 (OCS2018-1101/11/20/2018 1:26 PM) and reported out for passage on third reading.

AYES: ELEFANTE, KOBAYASHI, FUKUNAGA – 3.

NOES: None.

EXCUSED: MANAHAN, OZAWA – 2.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:06 p.m.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

gu

DATE APPROVED



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

**COMMITTEE ON PUBLIC WORKS,
INFRASTRUCTURE AND
SUSTAINABILITY**

Voting Members:
Carol Fukunaga, Chair
Joey Manahan, Vice Chair
Brandon J.C. Elefante
Ann H. Kobayashi
Trevor Ozawa

MINUTES

**SPECIAL MEETING
TUESDAY, DECEMBER 4, 2018**

**COUNCIL COMMITTEE MEETING ROOM
2ND FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813**

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The special meeting of the Committee on Public Works, Infrastructure and Sustainability was called to order by Committee Chair Carol Fukunaga at 2:00 p.m. Voting Members Elefante, Kobayashi, Manahan, and Ozawa were present at the meeting.

STAFF PRESENT

Linda Oamilda, Legislative Analyst to Committee Chair Fukunaga
Todd Swisher, Analyst, Office of Council Services
Anthony Valdez, Attorney, Office of Council Services
Kamilla Chan, Deputy, Department of the Corporation Counsel, assigned to the Committee
Gail Uehara, Council Committee Aide, Office of the City Clerk

ORDER OF BUSINESS

Committee Chair Fukunaga gave a brief introduction on the agenda items.

FOR ACTION

1. RESOLUTION 18-280 – COMMITTEE REPORT 417

HONOLULU'S HOMELESS ACTION PLAN. Approving the revised 2018 update to the City and County of Honolulu's Homeless Action Plan for all Council districts.

Administration/Others

Pamela-Witty Oakland, Director, Department of Community Services
Marc Alexander, Executive Director, Office of Housing
Mike Lambert, Captain, Honolulu Police Department (HPD)

Director Witty-Oakland testified in support of the Resolution, as detailed in Communication D-768. She also expressed an understanding of the need and commitment to work towards site-specific homeless solutions.

Captain Lambert explained that the HPD's role in addressing the homeless situation is a balance between outreach and enforcement.

In response to the Committee's inquiries, the representatives provided the following information:

- An explanation of the Mobile Navigation Center (aka lift zones) concept to assist in moving people off the street and into shelter or related services.
- A description of the Center's temporary inflatable shelters using tents that would be placed in locations such as unused areas within a park. The duration of these temporary shelters at a particular location would be up to 90 days and offer up to a two-day stay while assessments for services and shelter were made.
- The HPD is open to locations other than a park for lift zones, however existing parks rules would help to facilitate enforcement.

The following individuals testified:

1. Arvid Youngquist (support)

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2. Dave Moskowitz (support)

In response to Mr. Moskowitz's question, Committee Chair Fukunaga explained that Bills 51 (2018), CD2 and 52 (2018), CD1, FD1 became Ordinances 18-34 and 18-35 respectively. She added that the Council withheld enforcement of those two ordinances to ensure the availability of adequate services and housing so that the bills could be enforced as intended.

The Committee Chair recommended amending the Resolution to acknowledge the City's work on providing the requested information on homeless services and housing solutions currently available for deployment and where the gaps exist in each of the nine Council districts. She believes that it would be incumbent on the Council to work closely with City and State agencies, private sector and nonprofit partners to help find ways to fill those unmet needs. Committee Chair Fukunaga also recommended prohibiting the transportation of persons across Council districts, pursuant to Ordinance 18-35.

Committee Member Manahan voiced his support for the Committee Chair's recommendation.

Committee Member Elefante expressed his concern regarding access to homeless services which may be readily available in one Council district and not another.

Committee Chair Fukunaga explained that the HPD's Mobile Navigation Center would help to fill in those service gaps at the very outset. However, the long-term goal is to have more homeless services and housing solutions within each Council district to help keep all parks safe and sidewalks clear for public use.

Resolution 18-280 amended to CD1 and reported out for adoption.

AYES: ELEFANTE, KOBAYASHI, MANAHAN, OZAWA, FUKUNAGA – 5.
NOES: None.

CD1 to Resolution 18-280 (Submitted by Councilmember Fukunaga). The – CD1 (OCS2018-1170/12/5/2018 11:21 AM) makes the following amendments:

A. Deletes the first 5 WHEREAS clauses.

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- B. Consolidates the original 7th through 11th WHEREAS clauses into a single 2nd WHEREAS clause that inventories documents transmitted to the Council by the Director of Community Services, including Departmental Communications 763 (2018) and 765 (2018), which are attached to the resolution as Exhibits 1 and 2.
- C. Adds a new 4th WHEREAS clause noting the urgent need for crisis, detox, and stabilization beds and treatment services to address the number of unsheltered homeless identified in the 2018 Point-in-Time Count.
- D. Adds a new 5th WHEREAS clause stating the Council's findings regarding the need for increased support from appropriate State agencies, health care institutions, and service providers and from City and State legislators.
- E. Adds a new 6th WHEREAS clause describing the Council's past objections to the transportation of homeless individuals from one region of Oahu to another.
- F. Adds a new 7th WHEREAS clause to state the Council's intent regarding transportation of persons pursuant to Ordinance 18-35, its commitment to strict oversight, and its willingness to amend the Ordinance, if needed.
- G. Amends the BE IT RESOLVED clause by detailing the series of documents submitted by the Department of Customer Services that collectively comprise the revised 2018 update to the City's Homeless Action Plan and by explicitly authorizing the immediate enforcement of Ordinances 18-34 and 18-35.
- H. Deletes the original BE IT FURTHER RESOLVED clause.
- I. Inserts a new BE IT FURTHER RESOLVED clause to state the Council's opposition to transportation of persons, pursuant to Ordinance 18-35, across Council districts and to state that the Council will strictly scrutinize any Request for Proposal issued by the City for transportation services in association with the enforcement of Ordinance 18-35.
- J. Makes miscellaneous technical and nonsubstantive amendments.

Committee on Public Works, Infrastructure and Sustainability Special Meeting Minutes
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Related communications:

- D-763 Department of Community Services, submitting Addendum #2 to the Report to the 2018 Honolulu City Council.
- D-765 Department of Community Services, submitting Additional information on the Updated Homeless Action Plan.
- D-768 Department of Community Services, submitting testimony in support of Resolution 18-280.
- M-662 Additional testimony for Resolution 18-280.

2. RESOLUTION 18-281

HONOLULU'S HOMELESS ACTION PLAN. Withholding approval of the 2018 update to the City and County of Honolulu's Homeless Action Plan.

Administration/Others

Pamela-Witty Oakland, Director, Department of Community Services
Marc Alexander, Executive Director, Office of Housing
Mike Lambert, Captain, Honolulu Police Department

The City representatives were present for questions.

Committee Chair Fukunaga recommended that the Resolution be postponed indefinitely.

The following individual testified:

Arvid Youngquist (support)

Action on Resolution 18-281 postponed.

AYES: ELEFANTE, KOBAYASHI, MANAHAN, OZAWA, FUKUNAGA – 5.
NOES: None.

Related communication:

- M-663 Additional testimony for Resolution 18-281.

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ADJOURNMENT

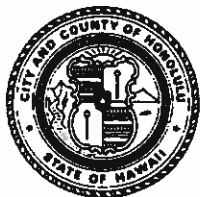
There being no further business, the meeting was adjourned at 2:50 p.m.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

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DATE APPROVED



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON TRANSPORTATION

Voting Members:

Joey Manahan, Chair
Kymberly Marcos Pine, Vice Chair
Ikaika Anderson
Brandon J.C. Elefante
Ron Menor

MINUTES

**REGULAR MEETING
THURSDAY, OCTOBER 18, 2018**

**COUNCIL COMMITTEE MEETING ROOM
2ND FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813**

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The regular meeting of the Committee on Transportation was called to order by Committee Chair Joey Manahan at 1:12 p.m. Voting Members Elefante and Menor were present at the meeting. Nonvoting Member Kobayashi also attended the meeting. Voting Members Anderson and Pine were excused from the meeting.

STAFF PRESENT

Mitchel Cabrereros, Legislative Aide to Committee Chair Manahan
Doug Chun, Analyst, Office of Council Services
Lloyd Yoshioka, Attorney, Office of Council Services, substituting for the assigned Attorney to the Committee
Kathleen Kelly, Deputy, Department of the Corporation Counsel, assigned to the Committee
Darcie Nago, Council Committee Aide, Office of the City Clerk

ORDER OF BUSINESS

APPROVAL OF MINUTES

The minutes of the September 20, 2018 meeting of the Committee on Transportation were approved as circulated.

AYES: ELEFANTE, MENOR, MANAHAN – 3.

NOES: None.

EXCUSED: ANDERSON, PINE – 2.

FOR ACTION

1. BILL 30 (2018), CD1 – COMMITTEE REPORT 363

ACQUISITION OF REAL PROPERTY FOR CITY FACILITIES AND PURPOSES. Increasing the City and County of Honolulu's inventory of land that can be used for City facilities and purposes through the implementation of a review process that considers whether to acquire the remaining portion(s) of real property being partially condemned by the Honolulu Authority for Rapid Transportation along the route of the Honolulu High-Capacity Transit Corridor Project.

The following amendment was posted on the agenda:

PROPOSED CD2 TO BILL 30 (2018), CD1 (Submitted by Councilmember Manahan) – The CD2 (OCS2018-0947/10/3/2018 8:54 AM) makes the following amendments:

- A. Defines "public utility" to mean the same as defined in HRS Section 269-1.
- B. In the definition of "rail project remnant property," excludes real property owned by a public utility for the production, conveyance, transmission, delivery, or furnishing of electric power.
- C. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Sandra Pfund, Director, Department of Land Management

Director Pfund spoke in support of the Bill.

The following individual testified:

Kerstan Wong, Hawaiian Electric Company, Inc. (support)

Committee Chair Manahan recommended amending and reporting the Bill out for Council action.

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Bill 30 (2018), CD1 amended to CD2 (OCS2018-0947/10/3/2018 8:54 AM) and reported out for passage on third reading.

AYES: ELEFANTE, MENOR, MANAHAN – 3.
NOES: None.
EXCUSED: ANDERSON, PINE – 2.

Related communication:

M-542 Additional Testimony for Bill 30 (2018), CD1

2. BILL 61 (2018) – COMMITTEE REPORT 364

RELATING TO CROSSWALKS. Requiring public notice, input, and engagement in proposals by the City Administration to remove or relocate crosswalks.

The following amendment was posted on the agenda:

PROPOSED CD1 TO BILL 61 (2018) (Submitted by Councilmember Manahan) – The CD1 (OCS2018-0983/10/11/2018 3:51 PM) makes the following amendments:

- A. Makes the following amendments to proposed new ROH Sec. 15-17.1(b):
1. Amends the first sentence to make the prohibition refer to the city rather than the director of transportation services.
 2. Adds a requirement that the opportunity for public input must be provided during the department's planning process for the removal or relocation of the crosswalk.
 3. Amends the requirement that public notice be given prior to the scheduled date for the removal or relocation of a crosswalk by removing the requirement that the notice be given 45 days prior to the scheduled date.
 4. Adds the requirement that, if the crosswalk is relocated, the notice must include the location where the new crosswalk will be established.
 5. Deletes the requirement that the director consider all public input prior to finalizing any decision on the proposed crosswalk removal or relocation.

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6. Deletes the provision stating that Section 15-17.1 applies even in the case of a crosswalk removal anticipated to result from any street or highway repaving project when the crosswalk is not anticipated to be restored promptly in its prior location following the completion of the repaving project.
- B. Clarifies the application of the bill to crosswalk relocations.
- C. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Wes Frysztacki, Director, Department of Transportation Services (DTS)

Director Frysztacki spoke in support of the posted CD1 and thanked the Committee for taking the Department's comments into consideration.

Committee Chair Manahan provided a brief overview of the Bill, stating that it was recommitted back to the Committee for further discussion on proposed amendments made by the Department.

Committee Member Menor commented that the Bill has been well-received by the neighborhood boards in his Council District.

Director Frysztacki addressed Committee Member Menor's concern, stating that public input is important and is taken into consideration, however, there are strict Federal standards that need to be retained to ensure uniformity throughout the United States. The Director stated that the Department was committed to reminding the public of changes as they are implemented since public involvement occurs in advance of actual changes and are often forgotten. Director Frysztacki reassured the Committee Member that the Department would continue to communicate with the public.

The following individuals testified:

1. Rose Pou (comments)
2. Robert Smith Carlton (comments)

Committee Chair Manahan recommended amending and reporting the Bill out for Council action.

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Committee Member Elefante thanked the Committee Chair for his hard work and efforts on the Bill.

Bill 61 (2018) amended to CD1 (OCS2018-0983/10/11/2018 3:51 PM) and reported out for passage on third reading.

AYES: ELEFANTE, MENOR, MANAHAN – 3.

NOES: None.

EXCUSED: ANDERSON, PINE – 2.

3. RESOLUTION 18-219 – COMMITTEE REPORT 365

RELATING TO VISION ZERO. Urging the City Administration to adopt the goals, strategies, and policies of Vision Zero.

Administration/Others

Wes Frysztaeki, Director, Department of Transportation Services (DTS)
Jon Nouchi, Deputy Director, DTS

Councilmember Kobayashi, the introducer, provided an overview of the Resolution, stating that the premise of Vision Zero is that all accidents can be prevented. She explained that Vision Zero started in Sweden to reduce the number of roadway fatalities and has successfully spread across Europe and the United States.

Director Frysztaeki spoke in support of the Resolution, stating the following information:

- The DTS monitors accidents that occur and found that driver attentiveness to pedestrians is a big problem.
- Combined efforts with the State and organizations such as the Hawaii Bicycling League, Blue Planet, Blue Zones, Sustainable Transportation Coalition of Hawaii, AARP, Hawaii Medical Service Association, Kaiser Permanente, Queens Medical Center, Walk Wise Hawaii, and the Oahu Metropolitan Planning Organization could accomplish a lot with the Vision Zero Program.
- Vision Zero efforts are already considered under the Complete Streets Program.

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- The Department has been gearing up for the Vision Zero Program and has requested three positions through its internal budget.

Deputy Director Nouchi provided an overview of the National Association of City Transportation Officials (NACTO) conference that was held in Los Angeles. NACTO represents the new line of thinking for transportation in cities. The conference was an opportunity to discuss pedestrian safety with other city officials.

Director Frysztacki and Deputy Director Nouchi addressed Committee members' queries with the following information:

- There are infrastructure improvements not relating to the Complete Streets Program that are being considered under Vision Zero.
- Elements of Vision Zero, such as a pedestrian signal button or no right turns on a red light, may generate community concern.
- The Barnes Dance would make pedestrians less vulnerable to accidents and could be implemented where appropriate under the Vision Zero Program.
- The Barnes Dance was not implemented at the intersection of King and Bishop Streets because it was determined that it would be faster for the pedestrian to cross with the traffic in place than to wait for the clear phase to cross diagonally.
- The DTS agrees to forward the adopted Resolution to the respective departments involved with the City-wide Complete Streets Program.

Committee Member Elefante stated that the Barnes Dance may also be appropriate outside of the downtown Honolulu and Waikiki areas where there is a high volume of pedestrians.

Director Frysztacki stated that the Vision Zero goals and objectives would be reported back to the Council and included in the Annual Complete Streets Report.

The following individuals testified:

1. Kari Benes, Strategic Highway Safety Plan (support)
2. Trish La Chica, Hawaii Public Health Institute (support)
3. Daniel Alexander, Hawaii Bicycling League (support)
4. Peggy Mierzwa, Blue Zones Project (comments)

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Councilmember Kobayashi stated her appreciation for all the support the Resolution has received.

Committee Chair Manahan and Committee Member Menor spoke in support of the Resolution.

Resolution 18-219 reported out for adoption.

AYES: ELEFANTE, MENOR, MANAHAN – 3.
NOES: None.
EXCUSED: ANDERSON, PINE – 2.

Related communications:

CC-279 Councilmember Kobayashi, submitting information on Vision Zero.
M-539 Early Testimony for Resolution 18-219
M-543 Additional Testimony for Resolution 18-219

FOR DISCUSSION

4. UPDATE ON THE NORTH KING STREET REHABILITATION OF STREETS AND COMPLETE STREETS PROJECT – PRESENTED BY THE DEPARTMENT OF DESIGN AND CONSTRUCTION AND THE DEPARTMENT OF TRANSPORTATION SERVICES.

Administration/Others

Wes Fryszacki, Director, Department of Transportation Services (DTS)
Robert Kroning, Director, Department of Design and Construction (DDC)
Kelly Akasaki, DTS

There was no public testimony.

Director Kroning provided an overview of the North King Street Rehabilitation of Streets and Complete Streets Project, stating that it includes asphalt pavement resurfacing to fix the pothole conditions; elements of Complete Streets, including the installation of a curved divider to help with the crosswalk at Factory and North King Streets; and striping improvements to improve several intersections. The Notice to Proceed was issued on June 4, 2018 and the contractor has 360 days to complete the Project. The contractor is in the process of getting a Noise Variance Permit in order to work longer during the night.

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Committee Chair Manahan acknowledged and thanked the DDC for always responding to inquiries.

Ms. Akasaki addressed Committee Member Elefante's query, stating that solar powered light-emitting diode lights in crosswalks are supported; however, she explained that the product used in the pilot project along King Street, fronting the Kapalama Post Office, was not bright enough during the daytime hours and the solar panels were always stolen. The lights will be taken out until a product with better quality of light can be hard-wired in the pavement.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:13 p.m.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

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DATE APPROVED
